



## COMMONWEALTH of VIRGINIA

GOVERNOR TERRY MCAULIFFE'S TASK FORCE ON  
COMBATING CAMPUS SEXUAL VIOLENCE  
*CHAIR ATTORNEY GENERAL MARK HERRING*

OCTOBER 9, 2014, 1:00 PM  
PATRICK HENRY BUILDING, WEST READING ROOM

### MEETING MINUTES

**Members Present:** Peter Blake, Fran Bradford, Ángel Cabrera, Judy Castele, Jean A. Cheek, Leah Cox, Maggie Cullinan, Brandon Day, Daniel Dusseau, Dorothy Edwards, William R. Grace, Allen Groves, Melissa Radcliff Harper, Tom Kramer, Penelope Kyle, Shannon Sinclair (proxy for Michael Maxey), Daphne Maxwell-Reid, Donna Poulson Michaelis, Christopher Ndiritu, Nancy Oglesby, Ellen Plummer, Marianne Radcliff, Abby Raphael, Emily Renda, Tracy Russillo, Rosemary Tribble, Kristi VanAudenhove, John Venuti and Raychel Whyte.

**Members Absent:** Frank Shushok, Jr.

**Staff Present:** Victoria Cochran, Deborah Daniels, Shannon Freeman, Lisa Furr, Elizabeth Griffin, Kay Heidbreder, Jennifer Lee, Rachel Levy, Melissa McMenemy, Mike Melis, Kevin O'Holleran, Dietra Trent, Tonya Vincent and Mary Vail Ware.

#### **Meeting Summary**

Attorney General Mark Herring called the meeting to order at 1:03 pm and welcomed and thanked task force members. Deputy Secretary of the Commonwealth Kelly Thomasson Mercer conducted the swearing-in for task force members and members received their commissions from the Governor and signed and returned their oath forms.

Attorney General Herring introduced Governor Terry McAuliffe, who also offered his thanks to task force members. The Governor shared his commitment to this issue as both a parent and as governor, and emphasized that addressing campus sexual assault is a priority for both the White House and his office as well. He acknowledged the recent tragic disappearance of UVA student Hannah Graham and emphasized the importance of community response in responding to her disappearance and in addressing the issue of campus sexual violence, acknowledging our collective obligation to protect our nation's youth. He challenged task force members to promote best practices, reinforce existing policies and procedures that create safe environments on and off campus and maximize their availability to all students, leverage partnerships, and ensure Virginia's college students know how to reach out for assistance. He expressed confidence in Attorney General Mark Herring as committee chair and in the Secretaries lending their knowledge and expertise in the impending work of the task force to position the Commonwealth as a national leader in combating sexual assault on campus.

**Attorney General Herring** thanked the Governor for his remarks and for his leadership in creating this task force, expressing pride in being the chair on an issue that is so critical for students, their families, and Virginia schools and acknowledging all the colleges and universities who joined the Governor and Attorney General in signing a joint declaration, committing to make Virginia a national leader in the effort to combat sexual violence. He acknowledged the great work already being done to address sexual assault on Virginia's campuses and emphasized that we need to send a clear message that we will not tolerate sexual violence at our schools, and we will not accept a societal culture that condones it.

The Attorney General then provided an overview of the task force, first laying out his expectations for task force members:

- Approach the issue with the urgency and dedication that it demands.
- Work in the open and encourage the input from other experts from around the state and nationally, and from the public including students, faculty and public safety officers.
- Recognize the complexity of this issue.
- Always remember how these acts of violence have affected the lives of survivors.

He then outlined the task force goals:

- Find and promote the most effective ways to prevent and reduce sexual violence on campus.
- Ensure that victims of sexual violence feel safe and are willing to come forward to report and are met with a survivor-centered response.
- Ensure that we properly seek justice against those who perpetrate sexual violence.

In order to meet the expressed goals, the task force structure will include three subcommittees: Prevention, Response, and Law Enforcement. He noted that a Secretary will work with each subcommittee and that each subcommittee will be led by a chair, with the Office of the Attorney General providing a staff member and an attorney for each subcommittee as well. The full task force will meet quarterly and subcommittees will meet monthly, with subcommittees choosing their own meeting dates/locations.

**Secretary of Education Anne Holton** then addressed the task force members, recognizing their previous work on this issue. She then specifically thanked the college presidents who have agreed to serve, commending their commitment. She noted that sexual assault is more than a crime or a violation of trust, calling it a violation of civil rights. She stated that our collective purpose is to foster academic achievement, not fear, and called upon the task force to collaborate, learn from one another, and seek best practices statewide on this issue. She called upon a new way of thinking about the issue of sexual assault on campus: students need to be encouraged to honor limits and understand the consequences of inappropriate behavior. She also noted that bystander intervention is critical to prevention efforts and ended her remarks by acknowledging the positive impact that the task force's work will have on Virginia's students.

**Secretary of Public Safety and Homeland Security Brian Moran** thanked task force members for agreeing to serve and for their commitment to Virginia's youth. He shared concerns that while our campuses are safer than the community at large, there are still concerns that these crimes are not being reported on campuses as frequently as they occur, and noted the importance of strengthening relationships and collaboration among local law enforcement, campus law enforcement and the Virginia State Police. He encouraged victim sensitivity and empowerment as we support victims through the university and

community prosecutions of their cases. He urged the use of data-driven decision-making to identify best practices to improve safety, prevent occurrences and ensure that we are responding appropriately and effectively. He noted that from January 2013 through June 2014, Virginia law enforcement reported to the Incident-Based Reporting System a total of 6,824 sexual assault incidents, with only 83 of those incidents occurring on a Virginia college campus. He further noted that if, as estimates indicate, as many as 65% of cases are unreported, change is imperative. Crime should not be tolerated and victims should feel empowered and safe in reporting crimes to the proper authorities. He reiterated the critical nature of the work ahead of the task force, noting a collective responsibility to make our campuses as safe as possible.

**Deputy Secretary of Health and Human Resources Jennifer Lee, M.D.** offered regrets from Secretary William Hazel, Jr. who was unable to attend but shared remarks on his behalf. She noted the profound health effects of sexual assault on victims, both physically and emotionally. She shared some of the devastating mental health effects of sexual assault, including victims' increased risk of depression, PTSD and suicidality, as well as increased drug use, alcohol use, and smoking. She urged a trauma-informed response, a safe environment for disclosure, and effective crisis intervention resources. She also encouraged proper collection of forensic evidence. She shared that Secretary Hazel is pleased to provide leadership on the Response subcommittee and thanked the task force members for their work addressing this issue.

**Attorney General Herring** then addressed the importance of transparency in the work of the task force, emphasizing that while respecting confidences involving specific cases, the work of the task force must be as open and transparent as possible. To elaborate on this issue, he introduced **Senior Assistant Attorney General Elizabeth Griffin**, who shared a video about open meetings, originally designed by the Office of the Attorney General for Boards of Visitors but also relevant to the work of the task force. She then spoke about FOIA, emphasizing that task force meetings and the conduct of members outside of meetings falls under FOIA. She referred task force members to the FAQ sheet on FOIA in their packets and emphasized the main points of the video:

- a meeting involves three or more task force members “gathered”, which is inclusive of emails, phone calls, skype, etc.
- a meeting must be properly noticed, with the public invited and minutes preserved
- in emails regarding task force business, do not “reply all”
- all documents generated in the performance of task force duties are public documents, and should be stored in a separate folder specific to task force business

Attorney General Herring then directed task force subcommittees to break into their groups for the purposes of introductions, scheduling time/location of their next meeting, and asked subcommittee chairs to facilitate general discussion about types of presentations the group wants to see at future meetings.

After the breakout sessions, the task force members came back together and the subcommittee chairs reported back to the full task force.

**Emily Renda, Prevention Chair**, shared that the Prevention subcommittee will be meeting November 11 in Charlottesville, and will use that time to develop the subcommittee's work plan. The subcommittee plans on beginning by examining current research and best practices across the Commonwealth and including national experts. The group plans to organize their work around the themes of student, faculty

and staff engagement, with emphasis on initiatives and recommendations that are community-specific and evidence-based.

**Dr. Ellen Plummer, Response Chair**, shared that the Response subcommittee will be meeting October 29 in Richmond, November 19 in Fredericksburg, and December 15 in Charlottesville. She shared that the first meeting will include a high-level overview of Title IX, the Dear Colleague letter, Clery Act, and FERPA to encourage a common vocabulary of policy constructs for committee members. They want to consider grievances, appeals, and conduct hearings as well as response and recovery, so that they are attending to the needs of both complainants and respondents. The group is also aware of the unique needs of community colleges and is committed to thinking beyond “one size fits all” solutions. They are also interested in discussing the issue of consent and articulating it so that students, faculty and staff understand it.

**Chief John Venuti, Law Enforcement Chair**, shared that the Law Enforcement subcommittee will be meeting October 22, December 10, and January 7 in Richmond. The group plans to look at both Title IX and the Clery Act, particularly with consideration to the intersection with criminal investigations. They want to consider evidence-based best practices that avoid multiple contacts with the victim to minimize trauma. The group also plans to consider VAWA and the Campus Safety Act and examine policies and protocols between campus and local law enforcement along with the integration of SARTs with campus law enforcement. The subcommittee also plans to consider timely warnings and crime alerts, perhaps recommending a standardized process that integrates prevention and education along with “ongoing risk” alerts. The subcommittee also wants to examine the culture in campus law enforcement to dispel fear that increased crime reporting is “bad for business” and identify ways to educate students so they are aware of reporting options and access to resources as well as educate faculty and staff so they are aware of reporting options and so they understand the paradigm shift to survivor-centered focus.

With no further business to discuss, Attorney General Mark Herring adjourned the meeting at 3:04 pm.